



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 04
2088 SOUTH ARLINGTON RD. • AKRON, OH 44306 • 330-786-3100

Environmental Document

for

SUM Freedom Trail Phase 4 PID 107930

Environmental Document Level: C2

Approved: 9/21/2023

Prepared By: Jaclyn Bruns

Lawhon & Associates

Phone: 740-224-0724

E-mail: Jbruns@lawhon-assoc.com

District Contact: Edward Deley

Phone: 330-786-4930

E-mail: Edward.Deley@dot.ohio.gov

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2020, and executed by FHWA and ODOT.

Table of Contents

C2.....	3
Environmental Commitments.....	10
Preparers and Approvals.....	11
Appendix.....	12



Environmental Document Level: C2
PID 107930 SUM Freedom Trail Phase 4
Approved: 9/21/2023

C2

Project Information

PID:	107930
Project Sponsor:	Summit Metro Parks
ODOT District:	4
Funding Source:	Federal
Project Description:	



Environmental Document Level: C2
PID 107930 SUM Freedom Trail Phase 4

Approved: 9/21/2023

Summit Metro Parks, in cooperation with the Ohio Department of Transportation (ODOT), proposes to extend the Freedom Trail from Mill Street to South Broadway Street, a distance of approximately 1 mile, in the city of Akron, Summit County, Ohio. Construction activities will include the installation of a 10-foot-wide paved multipurpose trail, to comply with Americans with Disabilities Act (ADA) standards, along the east side of the CSX Transportation railroad tracks in the northern portion, cross the University Avenue Bridge to the west, along a prefabricated ramp to the alley along the western side of the railroad tracks. The trail continues south along the alley for approximately 0.5-mile, turns to the west along Rosa Parks Drive and terminates before the intersection at South Broadway Street. The project will connect at Mill Street with Phase 3 of the Freedom Trail currently under construction. A trailhead parking area will also be constructed in the southeast quadrant of Mill Street & the railroad. Restrooms will be added under a separate project.

Mapping that depicts the project location on United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle is included in Project File/General/Project Information as USGS Quadrangle Topographic Map.pdf.

The original project included a trail bridge across South Broadway Street. This bridge was removed during detailed design. Some of the environmental studies included this bridge, however, the removal of the bridge did not change the RMR or ecological impacts. Traffic will be maintained on the existing portion of the Freedom Trail and any involved roadways. Access shall be maintained to all adjacent properties, businesses and intersecting side streets during project construction. Substantial traffic disruptions are not expected during project construction.

Property access has been coordinated with the University of Akron and the city of Akron and right-of-way acquisitions will not be required to construct the project.

Existing utilities within the project study area will not be impacted/relocated to construct the project.

The Section 106 Records Check literature review was performed for the project. No previously recorded history/architecture properties or archeological sites are reported within the project area of potential effects (APE). The undertaking is a type that has minimal potential to cause effects to historic properties. No further coordination is required in accordance with the Section 106 Programmatic Agreement. In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on June 29, 2023 (Agreement No. 38503), ODOT-Office of Environmental Services (OES) determined the project is a type of undertaking that has 'minimal potential to cause effects' to historic properties and is not a part of a larger undertaking. See the Cultural Resources documentation for the project in the Project File/Cultural Resources/Project Information subsection and the Cultural Resources tab.

Approximately 0.897 acre of suitable wooded habitat (SWH) for the federally protected Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat all within 100' EOP will be impacted by the project. The project is located within a USFWS yellow bat buffer zone. The project *may affect not likely to adversely affect* these species. There is no suitable habitat for any other federally or state listed species within the project study area. See the threatened/endangered species documentation for the project in the Project File/Ecological/Reports subsection and the Ecological tab.

The existing section of the Freedom Trail is a recognized Section 4(f) resource. The project will not impact this trail and will not restrict access to the existing section of the trail. Section 4(f) coordination is not required for the project.

Based on the information in the Regulated Materials Review (RMR) Form completed for the project, further RMR activities or special materials management are not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports, Project Information and Coordination subsections.

Upon review of the FEMA FIRM for the project study area, this project is not located within a special flood hazard area. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

The project will not impact any other environmentally sensitive resources within the project study area.

Summit Metro Parks sent letters to the adjacent property owners, residents, local schools, elected officials, and emergency services to provide project information and an opportunity to comment on the project. One comment was received by Akron Public Schools. A meeting was conducted with Akron Public Schools to further discuss their concerns. See the public involvement documentation, including the received comment and meeting minutes, for the project in the Project File/Public Involvement/Project Information subsection.

The environmental document and associated studies, as applicable, were approved using the Stage 2 Design plans for the project. A copy of the Stage 2 Design plans for the project is included in the Project File/General/Project Information subsection as Stage 2 Design.pdf.

The estimated total project cost specified in Ellis agrees with the total project cost specified in the ODOT State Fiscal Years 2024 - 2027 Statewide Transportation Improvement Program (STIP).

The next phase of the proposed project is listed on the STIP:

Yes



Ellis STIP Details

Phase	Current STIP Reference
ENV	
CO	107930: 24-27 STIP
DD	

The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications: Yes

Select the appropriate project type:

(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph I of this section. **Examples include: Joint or limited use of right-of-way where the proposed use would have minimal or no adverse social (including highway safety), economic or environmental impacts; Installation of new noise walls and other new noise mitigation projects; Construction of highway safety and truck escape ramps; Construction of bicycle lanes and pedestrian walkways, sidewalks, shared-use paths, or facilities and trailhead parking that do not otherwise qualify for a C1 designation; Beautification or facility improvement projects (i.e. landscaping, curb and gutter installation and replacement, ADA ramps/curb ramps, installation of park benches, decorative lighting, etc.); Construction of alternative energy facilities (fuel tank farms, wind turbines, etc.)**

In accordance with 23 CFR 771.117(e), the proposed project cannot be processed as a C2 CE, if it involves -

1. **a.** Acquisition of more than a minor amount of ROW (exceeds strip takes)
2. **b.** Residential or non-residential displacements
3. **c.** A U.S. Coast Guard permit or an Individual Section 404 permit under the Clean Water Act
4. **d.** A Section 106 finding of *Adverse Effect*
5. **e.** Section 4(f) impacts greater than de minimis
6. **f.** A finding of *May Affect, Likely to Adversely Affect* to Threatened and Endangered Species
7. **g.** Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions
8. **h.** Changes in access control
9. **i.** Floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths)
10. **j.** Construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers
11. **k.** No minor public or agency controversy on environmental grounds (no opposition from any organized groups or agencies and no unresolved environmental coordination)
12. **l.** A full Environmental Justice Analysis Report (EJAR) is required (the project must be processed as a D-level CE or higher-level document). If a memo-to-file/letter/IOC-format EJAR Short Report is determined to be the appropriate level of documentation, contact OES regarding NEPA document level.

For certification purposes, documentation is required to illustrate no significant impacts will occur to the following environmental resources and that no unusual circumstances exist that would warrant a



higher level of NEPA document. Upload all supporting documentation to the project file.

Ecological

Waterways: Not Present

Will any wetlands be impacted? No

Endangered Species: Present; No finding of May Affect, Likely to Adversely Affect

Endangered Species - Coordination May Affect, Not Likely to Adversely Affect

Endangered Species - Coordination Date 08/03/2022

Endangered Species - Critical Habitat Present/Impacted

Indiana bat

Northern long-eared bat

Endangered Species - Other Critical Habitat Present/Impacted: Yes

Endangered Species - Other Description:

Project will impact 0.897 acre SWH for proposed federally protected tricolored bat.

Scenic Rivers

No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area

Scenic Rivers Remarks

The project is not located within 1000 feet of a Wild and Scenic river.

Floodplains

100-Year Floodplain: No Encroachment Within a Special Flood Hazard Area (SFHA)

Floodplain Remarks

Upon review of the FEMA FIRM for the project study area, this project is not located within a special flood hazard area. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

Section 4(f)

Section 4(f): Present; No Impacts and/or Access Restrictions

Section 4(f) Remarks



Environmental Document Level: C2
PID 107930 SUM Freedom Trail Phase 4

Approved: 9/21/2023

The existing section of the Freedom Trail is a recognized Section 4(f) resource. The project will not impact this trail and will not restrict access to the existing section of the trail. Section 4(f) coordination is not required for the project.

Section 6(f)

Section 6(f): Not present

Cultural Resources

Cultural Resources: Present; No Finding of Adverse Effect

Cultural Resources Coordination: Minimum Potential to Cause Effect Appendix B

Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date 03/28/2023

Cultural Resources Remarks

The Section 106 Records Check literature review was performed for the project. No previously recorded history/architecture properties or archeological sites are reported within the project area of potential effects (APE). The undertaking is a type that has minimal potential to cause effects to historic properties. No further coordination is required in accordance with the Section 106 Programmatic Agreement. In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on June 29, 2023 (Agreement No. 38503), ODOT-Office of Environmental Services (OES) determined the project is a type of undertaking that has 'minimal potential to cause effects' to historic properties and is not a part of a larger undertaking. See the Cultural Resources documentation for the project in the Project File/Cultural Resources/Project Information subsection and the Cultural Resources tab.

Environmental Resources Considered

The following environmental resources are present and have been studied for potential impacts:

Regulated Materials

Farmland

Air Remarks

This project is an Exempt Project per 40-CFR 93.126 (Exempt Project/Air Quality: Bicycle and pedestrian facilities). An air quality analysis is not required for the project.

Noise Remarks

The project does not qualify as a Type I project for noise (i.e., not adding capacity, not moving thru travel lanes equal to or greater than 50% closer to noise sensitive areas) and a noise analysis is not required for the project under 23 CFR 772.

The project involves ROW acquisition, Deep Excavation, or OEPA 513 Landfill Authorization: Yes - Screening

Regulated Materials Review Screening:

No Further Regulated Materials Review



Regulated Materials Review Screening - DEC/OES Approval Date:

02/14/2023

Regulated Materials Review Remarks:

Based on the information in the Regulated Materials Review (RMR) Form completed for the project, further RMR activities or special materials management are not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports, Project Information and Coordination subsections.

Farmland:

Urbanized Area; No Impacts in
Accordance With the Farmland MOU
and 7 CFR 658

Environmental Justice

Projects that meet C2 criteria must be in accordance with ODOT's EJ Guidance and activities conducted for Public Involvement are commensurate to the project's type and scope of work.

Environmental Justice Populations

Present; No EJAR Required, Does
Not Exceed EJ Guidance Criteria,
and No Issues Raised During Public
Involvement

Identified Environmental Justice Populations

Census Block Group #	% Minority	% Low Income
391535083011	44	85
391535089002	34	79
391535068001	45	82
391535089003	31	88

Environmental Justice Remarks

Based on mapping from TIMS, the minority populations are 45 - 31 percent and low income populations are 88 - 79 percent for the four US Census Block Groups within the project area.

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts to Environmental Justice populations were raised as a result of the public involvement activities conducted for the project. Therefore, in accordance with the protections of Executive Order 12898, no further analysis is required for the project.

Based on the above findings, an Environmental Justice Analysis Report is not required for the project.

See the Census mapping for the project in the Project File/Environmental Justice/Project Information subsection.

Public Involvement

Public Involvement:

Minimum PI Requirements Met; No
Minor Public or Agency Controversy
on Environmental Grounds

Public Involvement Remarks



Environmental Document Level: C2
PID 107930 SUM Freedom Trail Phase 4

Approved: 9/21/2023

Summit Metro Parks sent letters to the adjacent property owners, residents, local schools, elected officials, and emergency services to provide project information and an opportunity to comment on the project. One comment was received by Akron Public Schools. A meeting was conducted with Akron Public Schools to further discuss their concerns. See the public involvement documentation, including the received comment and meeting minutes, for the project in the Project File/Public Involvement/Project Information subsection.

Environmental Commitments

Environmental Commitments

Yes



Environmental Commitments

C2

1) The project designer shall incorporate the following note into the plans: ENDANGERED SPECIES HABITAT - INDIANA BAT/NORTHERN LONG-EARED BAT - THE PROJECT IS LOCATED WITHIN THE KNOWN HABITAT RANGES OF THE FEDERALLY LISTED AND PROTECTED INDIANA BAT AND NORTHERN LONG-EARED BAT. NO TREES SHALL BE REMOVED UNDER THIS PROJECT FROM APRIL 1 THROUGH SEPTEMBER 30. ALL NECESSARY TREE REMOVAL SHALL OCCUR FROM OCTOBER 1 THROUGH MARCH 31. THIS REQUIREMENT IS NECESSARY TO AVOID AND MINIMIZE IMPACTS TO THESE SPECIES AS REQUIRED BY THE ENDANGERED SPECIES ACT. FOR THE PURPOSES OF THIS NOTE, A TREE IS DEFINED AS A LIVE, DYING, OR DEAD WOODY PLANT, WITH A TRUNK THREE INCHES OR GREATER IN DIAMETER AT A HEIGHT OF 4.5 FEET ABOVE THE GROUND SURFACE, AND WITH A MINIMUM HEIGHT OF 13 FEET.



Environmental Document Level: C2
PID 107930 SUM Freedom Trail Phase 4

Approved: 9/21/2023

Preparers and Approvals

Form Preparer:

Jaclyn Bruns
Lawhon & Associates
1441 King Ave., Columbus OH 43212
740-224-0724
Jbruns@lawhon-assoc.com

Supporting Form Preparer(s):

Robert Lang
Robert Shenal
Andrew Fluegemann
Greg Bowman
Libby Rushley

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	9/21/2023



Appendix

General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

ESA

OES Review - RMR Screening.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Other Resources

Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

Correspondence with Stakeholders.pdf

Public Comment Received - Akron Public Schools.pdf

Public Notification Letter.pdf

Public Notification Mailing List.pdf

Permits

FEMA FIRM.pdf